

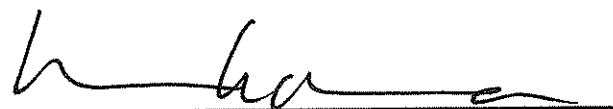
# APPLICATION FOR INITIATIVE OR REFERENDUM PETITION SERIAL NUMBER

Secretary of State  
1700 W. Washington Street, 7th Floor  
Phoenix, AZ 85007

The undersigned intends to circulate and file an INITIATIVE or a REFERENDUM (circle the appropriate word) petition and hereby makes application for the issuance of an official serial number to be printed in the lower right-hand corner of each side of each signature sheet of such petition. Pursuant to Arizona Revised Statutes § 19-111, attached hereto is the full text, in no less than eight point type, of the MEASURE or CONSTITUTIONAL AMENDMENT (circle appropriate word) intended to be INITIATED or REFERRED (circle appropriate word) at the next general election.

**SUMMARY:** A description of no more than one hundred words of the principal provisions of the proposed law, constitutional amendment or measure that will appear in no less than eight point type on the face of each petition signature sheet to be circulated.

ALCOHOL AND SUBSTANCE ABUSE PREVENTION AND EARLY INTERVENTION HEALTH INITIATIVE, proposes an alcohol tax of 25 cents on a gallon of spirituous liquor, and one dollar each on a gallon of beer and wine, the equivalent of less than ten cents per drink. Proceeds will fund prevention and early intervention services for any entity that affiliates with a community based prevention coalition. The initiative establishes an eighteen member commission which sets policy. Only the thirteen members, including three tribal representatives are voting members. The non voting members are directors or deputy directors of the Arizona's governmental departments.



Signature of Applicant

Manuel Medina

Printed Name of Applicant

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City State Zip

520-705-4375

Telephone Number

Pennies for Prevention

Name of Organization (if any)

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Manuel Medina, Chairman

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Jessica Smith, Vice Chair

Name of Officer and Title

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Date of Application February 17, 2012

Signatures Required 172,809

Deadline for Filing July 5, 2012

Serial Number Issued I-15-2012

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**OFFICIAL TITLE  
AN INITIATIVE MEASURE  
ALCOHOL AND SUBSTANCE ABUSE PREVENTION AND EARLY  
INTERVENTION HEALTH INITIATIVE**

**PROPOSING AMENDMENTS TO TITLE 41, ARIZONA REVISED STATUTES BY  
ADDING CHAPTER 29. AMENDING TITLE 41, CHAPTER 3, ARIZONA  
REVISED STATUTES, BY ADDING ARTICLE 10; RELATING TO ALCOHOL  
AND SUBSTANCE PREVENTION.**

**Be it enacted by the People of the State of Arizona:**

**Section 1. Title 41, Arizona Revised Statutes, is amended by adding chapter 29 to read:**

**CHAPTER 29  
ALCOHOL AND SUBSTANCE ABUSE PREVENTION AND EARLY  
INTERVENTION HEALTH INITIATIVE  
ARTICLE 1. GENERAL PROVISIONS**

**41-3301. Declarations and Definitions:**

**A. Declarations:**

**WHEREAS, ALCOHOL AND SUBSTANCE ABUSE PREVENTION AND EARLY  
INTERVENTION IS A STRATEGY FOR THE PURPOSE OF REDUCING THE  
PREVALENCE AND INCIDENCE OF ALCOHOL AND DRUG ABUSE IN  
ARIZONA THROUGH THE EXPANSION OF PREVENTION AND EARLY  
INTERVENTION RESOURCES THROUGHOUT THE STATE.**

**WHEREAS THIS EFFORT IS SUPPORTED BY A STATEWIDE SURVEY WITH  
67% IN FAVOR OF A TEN CENTS TAX INCREASE PER DRINK ON ALCOHOL  
FOR PREVENTION AND EARLY INTERVENTION SERVICES.**

**WHEREAS UNDERAGE DRINKING ALONE, COST ARIZONA  
APPROXIMATELY \$1.3 BILLION DOLLARS IN VIOLENCE, MOTOR VEHICLE  
CRASHES, HIGH-RISK SEX, PROPERTY CRIME, INJURY,  
POISONINGS/PSYCHOSES, BABIES BORN WITH FETAL ALCOHOL  
SYNDROME TO UNDERAGE MOTHERS AND SUBSTANCE ABUSE  
TREATMENT ( PACIFIC INSTITUTE FOR RESEARCH AND EVALUATION,  
2006).**

**WHEREAS TWENTY STATES HAVE ENACTED PROGRAMS THAT  
ALLOCATE FUNDS COLLECTED THROUGH TAXES OR STATE MARK-UP ON  
ALCOHOLIC BEVERAGES AND THE FUNDS ARE DIRECTED IN A VARIETY  
OR COMBINATION OF WAYS: EDUCATION OR PREVENTION OF  
PROBLEMS ASSOCIATED WITH ALCOHOL USE; ENFORCEMENT OR  
ADMINISTRATION OF THE STATE'S ALCOHOL CONTROL LAWS; AND**

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**TREATMENT OR REHABILITATION FOR PEOPLE WITH ALCOHOL OR OTHER DRUG PROBLEMS.**

**WHEREAS IMPLEMENTATION OF A STATEWIDE "CHARGE FOR HARM" INITIATIVE IN ARIZONA THAT RAISES THE BEER AND WINE TAX TO BE MORE COMMENSURATE WITH SPIRITUOUS LIQUOR TAX WILL PROVIDE A SUSTAINABLE FUNDING SOURCE FOR RESEARCH AND COMMUNITY-BASED PREVENTION AND EARLY INTERVENTION ALCOHOL/DRUG ABUSE PROGRAMS AND RESOURCES.**

**THEREFORE, THE PEOPLE OF ARIZONA DECLARE ITS INTENT TO PROVIDE PREVENTION AND EARLY INTERVENTION OF ALCOHOL AND SUBSTANCE ABUSE FOR THE RESIDENTS OF ARIZONA THROUGHOUT THE LIFE SPAN BY**

**THE APPROPRIATE TAXING OF ALCOHOL TO REDUCE UNDERAGE CONSUMPTION AS WELL AS PROVIDE MUCH-NEEDED FUNDS FOR PREVENTION AND EARLY INTERVENTION SERVICES FOR THE RESIDENTS OF ARIZONA.**

**B: DEFINITIONS:**

**1. PRIMARY PREVENTION IS INTENDED TO AVOID THE DEVELOPMENT OF A DISEASE OR DISABILITY. SECONDARY PREVENTION ATTEMPTS TO ADDRESS CONDITIONS IN THE EARLY STAGES OF THEIR DEVELOPMENT. TERTIARY PREVENTION IS DESIGNED TO REDUCE THE NEGATIVE IMPACT OF AN ESTABLISHED DISEASE OR CONDITION. (Adapted from National Library of Medicine 2011)**

**2. PREVENTION TIERS: UNIVERSAL PREVENTION AIMS TO PREVENT OR DELAY THE ABUSE OF ALCOHOL, TOBACCO, AND OTHER DRUGS. INDIVIDUALS, WITHOUT SCREENING, ARE PROVIDED WITH INFORMATION AND SKILLS NECESSARY TO PREVENT THE PROBLEM. SELECTIVE PREVENTION FOCUSES ON GROUPS WHO'S RISK OF DEVELOPING PROBLEMS OF ALCOHOL ABUSE OR DEPENDENCE IS ABOVE AVERAGE. THE SUBGROUPS MAY BE DISTINGUISHED BY CHARACTERISTICS SUCH AS AGE, GENDER, FAMILY HISTORY, OR ECONOMIC STATUS. INDICATED PREVENTION INVOLVES A SCREENING PROCESS, AND AIMS TO IDENTIFY INDIVIDUALS WHO EXHIBIT EARLY SIGNS OF ALCOHOL AND SUBSTANCE ABUSE AND OTHER PROBLEM BEHAVIOURS. IDENTIFIERS MAY INCLUDE FALLING GRADES AMONG STUDENTS, KNOWN PROBLEM CONSUMPTION OF ALCOHOL OR CONDUCT DISORDERS, ALIENATION FROM PARENTS, SCHOOL, AND POSITIVE PEER GROUPS.**

3. EARLY INTERVENTION REFERS TO IDENTIFYING PERSONS AT HIGH RISK PRIOR TO THEIR HAVING A SERIOUS CONSEQUENCE, OR PERSONS AT HIGH RISK WHO HAVE HAD LIMITED SERIOUS CONSEQUENCES RELATED TO ALCOHOL AND SUBSTANCE USE AND HAVING A SIGNIFICANT PERSONAL, ECONOMIC, LEGAL, OR HEALTH/MENTAL HEALTH CONSEQUENCE, AND PROVIDING THESE PERSONS WITH APPROPRIATE COUNSELING, TREATMENT, EDUCATION, OR OTHER INTERVENTION

Alcohol and substance abuse prevention and early intervention  
commission membership

**C.COMMISSION MEMBERSHIP.**

1. BEGINNING JANUARY 1, 2013, THE ALCOHOL AND SUBSTANCE ABUSE PREVENTION AND EARLY INTERVENTION COMMISSION IS ESTABLISHED CONSISTING OF THE FOLLOWING MEMBERS:

2. THE DEPUTY DIRECTOR OF THE ARIZONA DEPARTMENT OF HEALTH SERVICES, DIVISION OF BEHAVIORAL HEALTH IN THE DEPARTMENT OF HEALTH SERVICES OR THE DIRECTOR'S DESIGNEE.

3. THE DIRECTOR OF THE ARIZONA DEPARTMENT OF ECONOMIC SECURITY OR THE DIRECTOR'S DESIGNEE.

4. THE DIRECTOR OF THE STATE DEPARTMENT OF CORRECTIONS OR THE DIRECTOR'S DESIGNEE.

5. THE DIRECTOR OF THE ADMINISTRATIVE OFFICE OF THE COURTS OR THE DIRECTOR'S DESIGNEE.

6. THE SUPERINTENDENT OF PUBLIC INSTRUCTION OR THE SUPERINTENDENT'S DESIGNEE.

7. TEN PUBLIC MEMBERS FROM ALCOHOL AND SUBSTANCE ABUSE COMMUNITY COALITIONS. NO MORE THAN FIVE OF THESE MEMBERS MAY BE FROM THE SAME PARTY AND NO MORE THAN TWO MEMBERS SHALL BE FROM THE SAME COUNTY.

8. THREE PUBLIC MEMBERS WHO ARE REPRESENTATIVES OF TRIBAL ENTITIES.

D. COMMISSION MEMBERS WHO SERVE PURSUANT TO SUBSECTION A, PARAGRAPHS 1 THROUGH 5 ARE NONVOTING MEMBERS AND ARE NOT COUNTED FOR THE PURPOSES OF DETERMINING A QUORUM.

E. COMMISSION MEMBERS WHO SERVE PURSUANT TO SUBSECTION A, PARAGRAPHS 6 THROUGH 7 SHALL SERVE FOUR YEAR TERMS AND MAY SERVE MORE THAN ONE TERM. THE GOVERNOR SHALL MAKE THE INITIAL APPOINTMENT OF THESE MEMBERS. AFTER THE EXPIRATION OF THE TERM OF A MEMBER WHO WAS APPOINTED BY THE GOVERNOR, THE COMMISSION BY MAJORITY VOTE SHALL SELECT A MEMBER WHO HAS THE SAME OR SIMILAR QUALIFICATIONS AS THE VACATING MEMBER. THE COMMISSION SHALL ALSO SELECT A MEMBER TO FILL A VACANCY IN ANY INITIAL TERM.

F. THE COMMISSION SHALL ELECT A CHAIRPERSON AND A VICE-CHAIRPERSON FROM ITS PUBLIC MEMBERSHIP AT ITS FIRST ANNUAL MEETING.

G. THE COMMISSION SHALL MEET AT LEAST FOUR TIMES YEARLY AND AT THE CALL OF THE COMMISSION CHAIRPERSON. THE COMMISSION SHALL ALSO HOLD AT LEAST ONE YEARLY MEETING TO INVITE PUBLIC COMMENT REGARDING THE COMMISSION'S PROGRESS TOWARD IMPLEMENTING ITS GOALS AND DUTIES AS PRESCRIBED BY THIS ARTICLE.

H. COMMISSION MEMBERS ARE NOT ELIGIBLE TO RECEIVE COMPENSATION, BUT MEMBERS WHO SERVE PURSUANT TO SUBSECTION C, PARAGRAPHS 6 THROUGH 7 ARE ELIGIBLE FOR REIMBURSEMENT OF EXPENSES UNDER TITLE 38, CHAPTER 4, ARTICLE 2.

**41-3302. Commission; powers and duties**

**A. THE COMMISSION SHALL:**

1. PROMOTE THE DESIGN AND IMPLEMENTATION OF ALCOHOL AND SUBSTANCE ABUSE PREVENTION AND EARLY INTERVENTION PROGRAMS THROUGHOUT THE STATE.

2. ADMINISTER THE DISTRIBUTION OF FUNDS FROM THE ALCOHOL AND SUBSTANCE ABUSE PREVENTION AND EARLY INTERVENTION FUND AS ESTABLISHED IN SECTION 41-3303.

3. AWARD CONTRACTS PURSUANT TO REQUESTS FOR PROPOSALS TO ORGANIZATIONS, ENTITIES AND UNITS OF STATE OR LOCAL GOVERNMENT THAT AGREE TO PROVIDE ALCOHOL AND SUBSTANCE ABUSE PREVENTION AND EARLY INTERVENTION SERVICES AND PROGRAMS AS PRESCRIBED BY THE COMMISSION. EACH CONTRACT SHALL REQUIRE PROVIDERS TO COLLABORATE WITH ALCOHOL AND SUBSTANCE ABUSE COMMUNITY COALITIONS. EACH CONTRACT MAY REQUIRE COLLABORATION WITH PUBLIC SAFETY AGENCIES, THE JUDICIAL SYSTEM AND LOCAL SCHOOLS, AS NECESSARY.

4. COORDINATE THE PLANNING OF ITS ACTIVITIES WITH OTHER AGENCIES, ORGANIZATIONS AND GROUPS INVOLVED IN ALCOHOL AND SUBSTANCE ABUSE PREVENTION AND EARLY INTERVENTION ISSUES.

5. PREPARE AN ANNUAL WRITTEN REPORT ON OR BEFORE FEBRUARY 1 OF EACH YEAR BEGINNING IN 2014 REGARDING THE COMMISSION'S ACTIVITIES, PROGRAMS, CONTRACTS AND EXPENDITURES FOR THE PREVIOUS CALENDAR YEAR. THE COMMISSION SHALL SUBMIT THIS REPORT TO THE GOVERNOR, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE AND SHALL PROVIDE A COPY OF EACH REPORT TO THE SECRETARY OF STATE AND THE DIRECTOR OF THE ARIZONA STATE LIBRARY, ARCHIVES AND PUBLIC RECORDS.

6. CONTRACT FOR A PERIODIC EVALUATION TO DETERMINE THE EFFECTIVENESS OF PREVENTION AND EARLY INTERVENTION SERVICES AND PROGRAMS FUNDED BY THE COMMISSION.

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7. MAKE RECOMMENDATIONS TO THE GOVERNOR AND THE LEGISLATURE REGARDING POLICY AND LEGISLATIVE CHANGES NECESSARY TO PROMOTE THE COMMISSION'S GOALS AND DUTIES.

8. ACCEPT AND EXPEND PUBLIC AND PRIVATE GRANTS OF MONIES, GIFTS AND CONTRIBUTIONS AND EXPEND, DISTRIBUTE OR ALLOCATE MONIES APPROPRIATED TO IT FOR THE PURPOSE OF IMPLEMENTING THIS CHAPTER.

9. PREPARE AN ANNUAL BUDGET.

**B. THE COMMISSION MAY:**

1. ENTER INTO AGREEMENTS WITH THE GOVERNING BOARD OF ANY SCHOOL DISTRICT, THE SPONSOR OF A CHARTER SCHOOL OR THE GOVERNING BOARD OF A COMMUNITY COLLEGE DISTRICT REGARDING THE IMPLEMENTATION OF PREVENTION AND INTERVENTION SERVICES AND PROGRAMS AS PRESCRIBED BY THE COMMISSION.

2. REQUEST ANY STATE OR LOCAL AGENCY TO SUBMIT INFORMATION THAT IS NECESSARY TO FURTHER THE COMMISSION'S GOALS AND DUTIES.

3. FORM SUBCOMMITTEES, ESTABLISH BYLAWS, CONDUCT STUDIES, CONDUCT INQUIRIES AND HOLD HEARINGS.

4. HIRE CONSULTANTS AND OTHER STAFF FOR SPECIFIC PROJECTS, AS IT DETERMINES NECESSARY TO IMPLEMENT ITS GOALS AND DUTIES.

5. HIRE AN EXECUTIVE DIRECTOR WHO MAY EMPLOY ADDITIONAL PERSONNEL, AS NECESSARY.

6. DELEGATE ITS DUTIES TO CARRY OUT THIS SECTION, INCLUDING:

(a) THE AUTHORITY TO ENTER INTO CONTRACTS AND AGREEMENTS ON BEHALF OF THE COMMISSION.

(b) THE AUTHORITY TO APPOINT, HIRE, TERMINATE AND DISCIPLINE ALL PERSONNEL OF THE COMMISSION INCLUDING CONSULTANTS.

7. ESTABLISH JOINT RESEARCH AND INFORMATION FACILITIES WITH GOVERNMENTAL AND PRIVATE AGENCIES.

**41-3303. Alcohol and substance abuse prevention and early intervention fund**

A. THE ALCOHOL AND SUBSTANCE ABUSE PREVENTION AND EARLY INTERVENTION FUND IS ESTABLISHED CONSISTING OF REVENUES DEPOSITED IN THE FUND TRANSFERRED PURSUANT TO SECTION 42-3382 LEGISLATIVE APPROPRIATIONS. THE ALCOHOL AND SUBSTANCE ABUSE PREVENTION AND EARLY INTERVENTION COMMISSION SHALL ADMINISTER THE FUND.

B. ON NOTICE FROM THE COMMISSION, THE STATE TREASURER SHALL INVEST AND DIVEST MONIES IN THE FUND AS PROVIDED BY

SECTION 35-313, AND MONIES EARNED FROM THIS INVESTMENT INCLUDING ANY INTEREST MONIES SHALL BE CREDITED TO THE FUND.

C. MONIES IN THE FUND ARE NOT SUBJECT TO LEGISLATIVE APPROPRIATIONS AND ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190 RELATING TO LAPSING OF APPROPRIATIONS.

D. ALL FUNDS GENERATED BY THIS ACT SHALL BE UTILIZED TO SUPPLEMENT NOT SUPPLANT OTHER LOCAL, STATE OR FEDERAL EXPENDITURES FOR ALCOHOL AND SUBSTANCE ABUSE PREVENTION AND EARLY INTERVENTION PROGRAMS AND SERVICES. THIS SECTION SHALL NOT PROHIBIT THE LEGISLATURE FROM APPROPRIATING MONEY TO THE COMMISSION FOR THE PURPOSES OF THIS INITIATIVE OR VESTING THE COMMISSION WITH AUTHORITY TO SPEND ADDITIONAL APPROPRIATED FUNDS FOR ITS PURPOSES PURSUANT TO SECTION 41-3302.

**41-3304. Annual audit and reporting**

A. THE ALCOHOL AND SUBSTANCE ABUSE PREVENTION AND EARLY INTERVENTION COMMISSION SHALL CONTRACT WITH A CERTIFIED PUBLIC ACCOUNTANT FOR AN ANNUAL AUDIT OF THE ALCOHOL AND SUBSTANCE ABUSE PREVENTION AND EARLY INTERVENTION FUND WITHIN ONE HUNDRED FIFTY DAYS AFTER THE CLOSE OF EACH FISCAL YEAR. THE COMMISSION SHALL FILE A CERTIFIED COPY OF THE AUDIT WITH THE AUDITOR GENERAL WITHIN SEVEN BUSINESS DAYS AFTER IT RECEIVES THE AUDIT FROM THE ACCOUNTANT.

B. THE AUDITOR GENERAL MAY CONDUCT FURTHER AUDITS AND EXAMINATIONS THAT THE AUDITOR GENERAL CONSIDERS TO BE NECESSARY AND TAKE APPROPRIATE ACTION RELATING TO THE AUDIT OR EXAMINATION PURSUANT TO CHAPTER 7, ARTICLE 10.1 OF THIS TITLE. IF THE AUDITOR GENERAL TAKES NO OFFICIAL ACTION WITHIN THIRTY DAYS AFTER THE ANNUAL AUDIT IS FILED PURSUANT TO SUBSECTION A, THE AUDIT IS CONSIDERED TO BE SUFFICIENT.

C. THE COMMISSION SHALL PAY A NEGOTIATED AND APPROVED FEES AND COSTS OF THE CERTIFIED PUBLIC ACCOUNTANT AND AUDITOR GENERAL UNDER THIS SECTION FROM THE MONIES ON THE FUND.

D. THE COMMISSION SHALL SUBMIT THE AUDIT WITH ITS ANNUAL REPORT AS PRESCRIBED PURSUANT TO THIS ARTICLE.

Sec. 1. Title 42, chapter 3, Arizona Revised Statutes, is amended by adding article 10, to read:

ARTICLE 10. VINOUS AND MALT LIQUOR TAX FOR ALCOHOL AND SUBSTANCE ABUSE PREVENTION AND EARLY INTERVENTION PROGRAMS

**42-3381. Levy and collection of tax on vinous and malt liquors**

IN ADDITION TO ALL OTHER TAXES, THERE IS LEVIED AND SHALL BE COLLECTED BY THE DEPARTMENT IN THE MANNER PROVIDED BY THIS CHAPTER, ON ALL SPIRITUOUS, VINOUS, AND MALT LIQUORS THE FOLLOWING TAX:

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1. ON EACH SEALED CONTAINER OF SPIRITUOUS LIQUOR AT THE RATE OF TWENTY FIVE CENTS PER GALLON AND AT A PROPORTIONATE RATE FOR ANY LESSER OR GREATER QUANTITY THAN ONE GALLON.
2. ON EACH CONTAINER OF VINOUS LIQUOR, EXCEPT CIDER, OF WHICH THE ALCOHOLIC CONTENT IS NOT GREATER THAN TWENTY-FOUR PER CENT BY VOLUME AT THE RATE OF ONE DOLLAR PER GALLON AND AT A PROPORTIONATE RATE FOR ANY LESSER OR GREATER QUANTITY THAN ONE GALLON.
3. ON EACH GALLON OF MALT LIQUOR OR CIDER, ONE DOLLAR AND AT A PROPORTIONATE RATE FOR ANY LESSER OR GREATER QUANTITY THAN ONE GALLON.

**42-3382. Disposition of monies**

NOTWITHSTANDING SECTION 42-3102, THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND 35-147, MONIES LEVIED AND COLLECTED PURSUANT TO THIS ARTICLE IN THE ALCOHOL AND SUBSTANCE ABUSE PREVENTION AND EARLY INTERVENTION FUND ESTABLISHED BY SECTION 41-3303 FOR USE AS PRESCRIBED BY TITLE 41, CHAPTER 29.

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